

EXHIBIT

A

From: Dr. Michael Moates <mike@cpmht.com>
Sent: Monday, May 22, 2023 5:13 PM
To: Sabey, Mark L.; misty@bacb.com; melissa@bacb.com; carr@bacb.com
Cc: McManus, Lindsay K.; Sebastiani, Crystal J.
Subject: Re: FW: Rule 408

hahahahaha your email is laughable.

I don't care what BACB was involved with. Here I will correct it for the record.

"BACB filed a lawsuit and their attorneys sent a process server who assaulted me, stalked me, etc"

"Process Server Hired By BACB Attorney Arrested for Assault" (when the time comes)

"Process Server Hired By BACB induces severe panic attack during traumatic event"

"Opinion: The BACB should Find Attorneys Who Hire Process Servers Who Don't Attack and Chase People"

I have **NOT** been served. The documents he threw at me are soaking wet and cannot be read. I have not received the documents from the process server. They were thrown at my head and ended up in a puddle. I did not accept them, and he did not hand them to me. Service has not been accomplished, and I am fully prepared to take this to the Supreme Court. You do not accomplish service by throwing a document at someone's head and getting it in a puddle of water where it cannot be read.

Also, when I spoke with your colleague this morning, she said the service had not been completed and suggested

that I waive the service. I do not. At this point, unreadable documents destroyed by water do not provide me fair notice of the claims against me. At this point, I have not been served.

To meet the elements of service, the following must be included:

Contents. A summons must:

- (A) name the court and the parties;
- (B) be directed to the defendant;
- (C) state the name and address of the plaintiff's attorney or—if unrepresented—of the plaintiff;
- (D) state the time within which the defendant must appear and defend;
- (E) notify the defendant that a failure to appear and defend will result in a default judgment against the defendant for the relief demanded in the complaint;
- (F) be signed by the clerk; and
- (G) bear the court's seal.

Since none of the information could be read (I have a time-stamped photo), it is impossible to have this information. But lucky for you, mLocal Rules permit this: (G) be sent by first-class mail or other reliable means. You have my approval. At which point, I will waive service upon arrival.

On another note, you are not entitled to the video until we get to the discovery phase. I'll keep that from you until that time. If you want it now, get a court order. You'll also need to keep all evidence from the server's side. I will be filing criminal charges against the process server which by the way the police officer said he broke the law and that a

recommendation to prosecute would be made. I am in contact with the District Attorneys' Office.

For the record, I have not tried to escape anything. Other than today, I did not know a process server had come out. Even today, I did not know until he threw the documents at me and said you have been served. That is because he did not identify himself, he was just chasing me. In fact, the video I have proves that. I only became aware that the process server who covered my security cameras and peep hole was a process server after a neighbor told me. You might want to read the Texas Harassment Statute.

I will file a separate lawsuit against your client for personal injury, emotional distress, assault, and more. Your client will be the Defendant not you. You and the process server are working on their behalf and are their agents. Thus, the buck stops with them.

Let's try an article like this.

James Carr is the head of the BACB. The BACB filed a lawsuit against me. Their attorneys, working on their behalf, hired a process server who came to my home and covered my security cameras to make me feel alarmed in violation of the Texas Harassment statute. The process server returned did not identify himself, threw a metal object at my head, and cursed at me as he ran away.

I will make this known, and I have no problem making the video public, with the water-damaged documents, police report, and disclosing everyone's names who participated.

I will not be threatened in my own home. I would not recommend coming back. You have been told how you can serve me. But until then, I have not been given notice of any lawsuit. I have a bunch of water-damaged pieces of paper that are unreadable. You tell me you have sued me but don't tell me where and have not provided me a copy of the petition that is readable so I can't respond without knowing the information.

Please let your client know the following:

- I plan on filing with the Trademark Trial and Appeal Board to have a few of their trademarks struck down, and that service is forthcoming.
- In the coming days, I will file a lawsuit in federal court to challenge any BACB law only for violation of the First Amendment for forced association whereby other alternatives exist, especially when the BACB does not respect those with religious views that conflict with theirs. Hope it was worth it.
- I have begun collecting information from government entities about them. Specifically, every email sent to various entities from the domain name "@bacb.com" It's actually very intriguing. God Bless, the Freedom of Information Act and various state equivalents.

I look forward to being served via postal mail.

PS... you claim he "tossed them" is that what you call throwing a metal object at someone's head? Tossing to me would be tossing something with the intent of hitting the ground. In the photos I sent you, you can see he intended

to hit my head as he aimed high rather than toward the ground.

Tread carefully, the waters are about to get deep. I can't wait for the jury.

On Mon, May 22, 2023 at 5:28 PM Sabey, Mark L. <marksabey@hallrender.com> wrote:

Mr. Moates,

We contacted you about accepting service, but you would not respond, so my firm was forced to send a third party process server. BACB was not involved in that decision. Based on the process server's reports to us, you refused to answer your door and tried to escape being served each time he started to approach you. Since you would not allow him to hand you the papers, but instead were trying to retreat into your apartment, he tossed the papers to you. You have now been served, and we can proceed with this litigation. Since service has been accomplished, the process server will not be making any further attempts to serve you on my firm's behalf. You will receive the affidavit of service prepared by our process server in due course.

In the meantime, if you defame BACB or accuse BACB of actions it did not take, you will be reducing your credibility and subjecting yourself to additional liability. Since you have threatened litigation based on process service, we hereby demand that you preserve all evidence, including the entire video and audio files and medical records, if any, related to the events of this morning. In court, any destruction of evidence would likely result in the court instructing the jury to presume that the evidence was contrary to your claims. Please send me a copy of the video and audio from your camera as soon as possible, and anything else you think is relevant to my firm's evaluation of whether your version of the facts is accurate.

Sincerely,

Mark L. Sabey | Attorney
marksabey@hallrender.com | vCard | @hallrender on Twitter

Hall, Render, Killian, Heath & Lyman, P.C.
DENVER D: (303) 801-3538 | C: (303) 995-5131 | F: (303) 801-3537

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From: McManus, Lindsay K. <LMcManus@hallrender.com>
Sent: Monday, May 22, 2023 12:43 PM
To: Sabey, Mark L. <marksabey@hallrender.com>

Cc: Sebastiani, Crystal J. <CSebastiani@hallrender.com>

Subject: FW: Rule 408

FYI.

Lindsay K. McManus | Attorney
lmcmamus@hallrender.com | vCard | [@hallrender](https://twitter.com/hallrender) on Twitter

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From: Dr. Michael Moates <mike@cpmht.com>

Sent: Monday, May 22, 2023 12:39 PM

To: Kulwicki, Brandon S. <BKulwicki@hallrender.com>; McManus, Lindsay K. <LMcManus@hallrender.com>; carr@bacb.com; Gibson, Rebecca S. <RGibson@hallrender.com>; misty@bacb.com; melissa@bacb.com

Subject: Rule 408

Your client will accept my offer or not... but I have it here for you. I am in distress, crying, my heart racing, and I am in a panic, scared to leave my home. I am sore from the incident.

They have until 7 PM CST today to tell me they will dismiss this case. If not, I will file separate litigation for assault, harassment, emotional distress, destruction of property, and stalking.

I started posting the video and saying that the BACB's process server was attacking me and it would not look

good. I have 175k Twitter Followers and will contact members of the media.

I will submit it in the official record in our current proceedings, which will be on the docket forever. They hired someone who tortured my dog and I making us fear for our lives.

I will hire an attorney for personal injury. I will also go public and be careful so there are no libel claims.

The BACB hired this man, who came to my home and did this. Then talk about my crying, panic attack, the police and police report, etc. This was a traumatic experience for me, and I can't believe your client would go about it this way. It is just wrong. I had some negative feelings about the BACB, but this was beyond anything I could have ever expected to happen to me personally.

I am going to the ER to look at where I am sore and talk with them about my panic attacks. I have to wait till a friend comes because I don't feel safe leaving my home alone for fear that I might have someone else who could chase me and attempt to hit me with something.

My heart continues to race, and I am terrified to leave my home now, fearing that someone else might do what he did to me on your behalf.

So that you know, I have a video recording, and you can hear the thump from the metal hitting the wall the second time he threw it. I have attached a few screen grabs for you to review. In the screengrabs, you can clearly see the metal piece flying through the air. That is what hit me.

End this now, please before it gets dirty. Stop sending men who cover up my security cameras and peephole (have this on video too), who chase me, assault me, threaten me, attempt to assault me, stalk me, harass me, and more. I shouldn't have to fear you. I shouldn't be crying and panicking now, worried about leaving home.

Assuming I am up to it this evening (after the 7PM clock expires) (I am feeling very sore, not to mention my racing heart rate from the panic), I will drive up to the court and give them a copy to the court and ask for a protective order and sanctions.

Please provide me the information of the process server you sent.

Please don't hurt me, I will take whatever you want but I don't want to get hurt. I am very scared.

--

As always, you can book a session by going to <https://bookmike.org> or by [clicking here](#).

Very Respectfully,

Doctor Michael S. Moates, EdD*

Licensed Clinical Psychologist

Adjunct Professor of Psychology

E: Mike@cpmht.com | P: 254-966-2837

"Yesterday is not ours to recover, but tomorrow is ours to win or to lose."

Typically, it is improper to use the term Doctor while also using the nominal letters, however, state law requires me to tell you specifically what kind of Doctor I am.

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